

SENATE BILL 2560

By Woodson

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 4, Part 9, relative to postsecondary
financial assistance from net lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by
adding the following language as a new, appropriately designated section:

§ 49-4-9__.

(a) As used in this section, "nurse" includes any professional licensed under title
63, chapter 7.

(b) To be eligible for a Tennessee HOPE professional loan-scholarship, a
student shall:

(1) Be at least twenty-five (25) years of age;

(2) Have not previously been a recipient of a Tennessee HOPE
scholarship;

(3)

(A) If the student is seeking to become a teacher, enroll in an
eligible postsecondary institution that:

(i) Has an approved teacher education program as
determined by the state board of education; or

(ii) Is an eligible two-year postsecondary institution that
has a transfer agreement with an eligible four-year postsecondary
institution at which there is an approved teacher education
program; or

(B) If the student is seeking to become a nurse, enroll in an eligible postsecondary institution that:

(i) Has a nursing program; or

(ii) Has a transfer agreement with an eligible

postsecondary institution that has a nursing program;

(4) Have an associate, baccalaureate or higher degree;

(5) Not have been licensed in Tennessee to practice the profession that the student is seeking to enter at any time prior to application for the loan-scholarship;

(6) Enroll in a program of educational studies that will permit the student to obtain licensure to teach in Tennessee public schools or licensure to practice nursing in Tennessee. The program shall be specifically designed for the student by the postsecondary institution in which the student is enrolled and shall consist of the minimum course work necessary to meet licensure requirements, including those required to obtain a baccalaureate or higher degree, if the student does not have such degree and it is a condition for the licensure sought. The student shall file a written copy of this program and any amendment to the program with TSAC;

(7) Not be ineligible for a loan-scholarship under § 49-4-904;

(8) Meet the requirements of § 49-4-905(a). Section 49-4-905(b) shall not apply to students seeking Tennessee HOPE professional loan-scholarships;

(9) Be capable of meeting all requirements for licensure for the profession in which the student intends to work after completing the student's educational program; and

(10) Apply for the loan-scholarship.

(c) Notwithstanding any provision of this part to the contrary, a student seeking a Tennessee HOPE professional loan-scholarship is eligible to receive a loan-scholarship although the student has previously attended a postsecondary institution and the student has received an associate, baccalaureate or higher degree; provided, however, that the semester hours completed by the student prior to application for a Tennessee HOPE professional loan-scholarship did not meet all academic requirements for the licensure sought.

(d)

(1) All loan-scholarships shall be evidenced by notes payable to TSAC, which shall bear interest at a rate per annum determined each year by TSAC. The loan-scholarship shall not be repayable and interest on such notes shall not accrue so long as the loan-scholarship recipient is enrolled in an educational program leading to licensure to teach or to practice nursing in Tennessee. The notes shall be executed pursuant to the rules and regulations of TSAC.

(2) As a condition for receipt of a Tennessee HOPE professional loan-scholarship, recipients shall agree to teach in a Tennessee public school or practice nursing in Tennessee for the period specified by TSAC for each full-time equivalent year of receipt of the loan-scholarship. TSAC shall forgive the loan-scholarship and accrued interest, if the recipient fulfills the required number of years of teaching in a Tennessee public school or practice of nursing in Tennessee. If the recipient fails to fulfill the required number of years of teaching in a Tennessee public school or practice of nursing in Tennessee, TSAC shall forgive a part of the amount of the loan-scholarship and interest based on the ratio of the number of years fulfilled to the number of years required for total fulfillment. If a recipient chooses to teach or practice nursing in an area of the

state which suffers from a critical shortage of teachers or nurses, then TSAC is authorized to accelerate forgiveness of the loan-scholarship. Any requirement of repayment of a loan-scholarship received under this section shall be cancelled by the death or the permanent and total disability of the recipient.

(e) A student receiving a Tennessee HOPE professional loan-scholarship shall maintain satisfactory progress in the student's program of study to continue to receive the loan-scholarship.

(f) A student who receives a Tennessee HOPE professional-loan scholarship and attends an eligible postsecondary institution may transfer to another eligible postsecondary institution offering the student's program of study without loss of the loan-scholarship; provided, that the student continues to meet all requirements for such loan-scholarship and the institution to which the student transfers amends, as necessary, the student's educational program to meet that institution's course offerings. The loan-scholarship award shall be the award applicable to the eligible postsecondary institution to which the student transfers.

(g)

(1) Subject to the amounts appropriated by the general assembly and any law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, in any semester, inter-session or other period of time, the amount of a Tennessee HOPE professional loan-scholarship for full-time enrollment in the recipient's educational program shall be one-half the amount of a Tennessee HOPE scholarship that is awarded for the academic year to full-time students at the institution the recipient of the Tennessee HOPE professional loan-scholarship is attending. During a semester, inter-session or other period of time, in which a recipient takes a part-time course

load in the recipient's program of study, such recipient shall receive an appropriate prorated amount for part-time attendance.

(2) Tennessee HOPE professional loan-scholarships shall not cover the cost of semester hours that are not included in the loan-scholarship recipient's specific educational program. Tennessee HOPE professional loan-scholarships shall not cover the cost of semester hours that are repeated.

(h) A student may receive a Tennessee HOPE professional loan-scholarship until the student has attempted all semester hours required in the student's program of study.

(i) A Tennessee HOPE professional loan-scholarship recipient who has an approved medical or personal leave of absence from an eligible postsecondary institution may continue to receive the loan-scholarship upon resuming such student's education at an eligible postsecondary institution so long as the student continues to meet all applicable eligibility requirements. Except for approved medical or personal leaves of absence, a Tennessee HOPE professional loan-scholarship student, including a part-time student, shall be enrolled continuously as a student at an eligible postsecondary institution.

SECTION 2. TSAC shall promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. TSAC shall award Tennessee HOPE professional loan-scholarships beginning with fall semester 2008; provided, however, that loan-scholarships shall be awarded retroactively by TSAC during fall semester 2008 to students who satisfactorily completed course work after September 1, 2007, but before fall semester 2008 in an approved teacher education program or a nursing program at an eligible postsecondary institution and who, at the time of

enrollment in course work for which an application for reimbursement is made with TSAC, met all applicable requirements for the loan-scholarship, except for the requirement of having a written educational program that is designed for the student and filed with TSAC.

SECTION 4. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.